IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

Crl.Rev.Pet.No. 380 of 2000()

CRA.195/1999 of ADDL.SESSIONS COURT-II, KOZHIKODE
CC.696/1997 of JUDL.MAGISTRATE OF FIRST CLASS, VADAKARA

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REVN. PETITIONER: APPELLANT/ ACCUSED

K.CHANDRAN, S/O. KANARAN, KAYYIL HOUSE,
NEAR RAILWAY STATION, PAKKAYIL,
VADAKARA AMSOM, DESOM

BY ADV. SRI.K.S.MADHUSOODANAN
SRI.C.P.PEETHAMBARAN
SRI.C.P.REJI
SRI.T.N.SURESH
SRI.T.K.ANIRUDHAN

RESPONDENTS: RESPONDENTS/ COMPLAINANT & FORMAL PARTY

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1. K.P. PADMANABHAN S/O. KANARAN,
KALLILPEEDIKAYIL HOUSE, PAKKAYIL,
VADAKARA AMSOM, DESOM.

2. STATE OF KERALA, REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 21/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP. NO.380/2000

ORDER ON CRL.MP.2211/2000 IN CRL.RP. NO.380/2000

DISMISSED

21.08.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.S. TO JUDGE

tss

K.R. UDAYABHANU, J.

CRL.R.P.NO.380 OF 2000

DATED THIS THE 21ST AUGUST 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months. It is submitted that the matter has been settled. Counsel for the revision petitioner had shown in the court an affidavit filed by the complainant as well as a receipt wherein it is mentioned that the matter has been settled. It is submitted that the compounding petition could not be filed as the complainant has not entered appearance despite receipt of notice. In the circumstances, the orders of the courts below are set aside. The matter is remitted back to the trial court for further steps in the matter. The matter shall be posted before the Judicial First Class magistrate, Vadakakra on 8-10-2007.

K.R.UDAYABHANU, JUDGE

ks.

K.R.UDAYABHANU, J

CRL.R.P. 380 OF 2000
ORDER

21-8-2007